



December 30, 2004

Assistant Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Dear Sir,

This is in response to the Failure to Acceptably Respond to Notice of Non -Compliant Agreement, mailed on 12/23/2004 for the Application, 09/939,087 with a filing date of 08/24/2001.

Enclosed please find,

- Amended paragraphs that now include markings,
- Whole paragraphs submitted when being amended.
- Specifications on a different page from the claims
- Claims on a different page from the Remarks.

It is regretted and unintentional that the last two points made the application Non -Compliant which are corrected in this response. I respectfully request further constructive assistance from the Examiner and I respectfully plead that the application be continued for further examination.

Sincerely,

Alex Freeman